



**HISTORIC LANDMARK COMMISSION MEETING MINUTES  
1<sup>st</sup> FLOOR, CITY COUNCIL CHAMBERS  
CITY HALL BUILDING, 300 N. CAMPBELL  
NOVEMBER 18, 2013  
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 1<sup>st</sup> Floor, City Hall Building, November 18, 2013, 4:00 p.m.

The following commissioners were present:

Chairman David Berchelmann  
Vice-Chairman Edgar Lopez  
Commissioner Beatriz Lucero  
Commissioner Randy Brock  
Commissioner Cesar Gomez  
Commissioner William C. Helm II

The following commissioners were not present:

Commissioner Ricardo Fernandez  
Commissioner John Moses

The following City staff members were present:

Ms. Providencia Velázquez, Historic Preservation Officer, City Development Department, Planning Division  
Ms. Kristen Hamilton, Assistant City Attorney, City Attorney's Office

Chairman Berchelmann called the meeting to order at 4:09 p.m., quorum present.

**CHANGES TO THE AGENDA**

There were no changes to the agenda; however, Ms. Velázquez noted item 1. on the agenda, PHAP13-00031, 4607 Hastings Drive, had been withdrawn. Via email, the applicant (Ms. Murphy) notified Ms. Velázquez that she would not be installing the circular driveway and requested her application be withdrawn.

**I. CALL TO THE PUBLIC – PUBLIC COMMENT**

*None.*

**II. REGULAR AGENDA – DISCUSSION AND ACTION**

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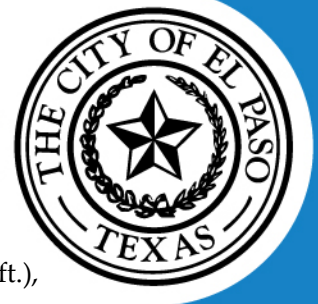
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**Certificate of Appropriateness**

- 1. PHAP13-00031:** 109 Government Hill 5 & 6 & W ½ of & (7500 sq. ft.),  
City of El Paso, El Paso County, Texas

Location: 4607 Hastings Drive  
Historic District: Austin Terrace  
Property Owner: Maureen Murphy  
Representative: Julio Gonzalez  
Representative District: 2  
Existing Zoning: R-4/H (Residential/Historic)  
Year Built: 1948  
Historic Status: Non-contributing  
Request: Certificate of Appropriateness for the installation of  
a circular driveway

Application Filed: 10/21/13  
45 Day Expiration: 12/5/13  
**POSTPONED FROM 11/04/2013 – THIS ITEM HAS BEEN WITHDRAWN  
AT THE REQUEST OF THE OWNER.**
- 2. PHAP13-00032:** 83 Government Hill 8 & E 15 ft. of 7 & W 20 ft. of 9  
(9900 sq. ft.), City of El Paso, El Paso County, Texas

Location: 4417 Manchester Avenue  
Historic District: Austin Terrace  
Property Owner: Jacob Fourzan and Jaime Varela  
Representative: Jacob Fourzan and Jaime Varela  
Representative District: 2  
Existing Zoning: R-4/H (Residential/Historic)  
Year Built: 1951  
Historic Status: Non-contributing  
Request: Certificate of Appropriateness for repainting the  
façade after-the-fact

Application Filed: 11/4/13  
45 Day Expiration: 12/19/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for a Certificate of Appropriateness for repainting the façade after-the-fact. While conducting a site visit, Ms. Velázquez observed painters painting the exterior of the home. She then stopped to ask if the painters had obtained the proper permit(s) or approval(s) (HLC). The painters responded they did not, however, they believed the property owners had.

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Ms. Velázquez soon learned that no approval had been authorized/issued for the property, she then notified Code Enforcement staff of the situation.

### **CHARACTER DEFINING FEATURES**

Per the presentation photos of the property prior to the repainting, Ms. Velázquez directed commissioners' attention to the character defining features, *half-timbering and diamond shaped glass windows*. She stated that these features accentuate the Tudor style of the structure.

### **RESEARCH**

#### **1. Facades and contrasting color details:**

Ms. Velázquez pointed out that properties located to the left and right of the applicant's, as well as properties located within the same block, showed neutral colored facades with intense, contrasting color detail trim.

#### **2. Building style:**

From the highly recognized resource in the field, "*A Field Guide to American Houses*" Ms. Velázquez determined the applicant's building style to be *Minimal Traditional*. She read into the record the following:

*"When construction resumed in 1946, houses based on historical precedent were largely abandoned in favor of new variations of the modern styles that had only begun to flourish in the pre-war years. The earliest of these, the Minimal Traditional style, was a simplified form loosely based on the previously dominant Tudor style of the 1920's and 30's. Like Tudor houses, these generally have a dominant front gable and massive chimneys, but the steep Tudor roof pitch is lowered and the façade is simplified by omitting most of the traditional detailing."*

#### **3. Color Schemes for Minimal Traditional Style Homes:**

Via the City of Ontario, California, Office of Historic Preservation website [www.ci.ontario.ca.us/modules/showdocument.aspx?documentid=7387](http://www.ci.ontario.ca.us/modules/showdocument.aspx?documentid=7387), Ms. Velázquez obtained information concerning color schemes for Minimal Traditional style homes. She read into the record the following:

*"Colors - Homes were typically painted a light or white color with a dark accent color."*

Based on information listed above and information listed below, the Historic Preservation Office recommends **DENIAL** of the proposed scope of work based on the following recommendations:

*The Design Guidelines for El Paso's Historic Districts, Sites, and Properties recommend the following:*

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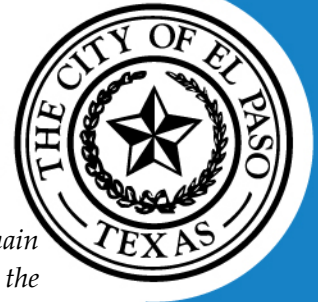
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- *Neutral tones and muted earth colors are strongly recommended for the main body of the structure. Trim color may be a darker or contrasting color than the body of the building.*
- *Paint colors must be of the period, times, architectural style of the building, and geographic location because what works for a color palette for a home in California does not necessarily fit with paint colors in El Paso.*
- *When repainting, select paint colors that are compatible with the historic building and district. Enhance the features of a building through appropriate selection and placement of paint color consistent with its architectural style.*

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

#### **QUESTIONS FOR STAFF**

Chairman Berchermann reiterated the existing exterior paint color was not acceptable. He asked if Ms. Velázquez would approve a lighter color blue exterior with darker blue contrasts.

Ms. Velázquez responded yes; additionally, had she met with the property owners prior to their repainting the exterior, she would have been able to assist them in choosing a more appropriate color theme. Furthermore, Ms. Velázquez stated the request to repaint the exterior would have been approved administratively. Notably, staff did not receive any phone calls, emails or letters, in favor of or opposition to the request from the Austin Terrace Neighborhood Association or anyone else.

*There was no one from the audience who had signed up to speak either for or against this request.*

Mr. Jacob Fourzan and Ms. Jaime Varela, property owners, were present. Mr. Fourzan explained they had purchased the home in June-July, 2013. Incidentally, they were not aware, nor was the realtor, that the property was located within a historic district. He explained that he, and the contractor, had called city departments looking for information about permits and were both told they did not need one.

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Ms. Varela explained the contractors had been painting the exterior of the home for approximately two months prior to Code Enforcement initiating the *Stop Work order*. She added that Code Enforcement staff left no contact information and no business card; there was no way to call or contact Code Enforcement staff.

Ms. Velázquez reiterated a permit to paint the exterior of the home is not required; however, approval is required if the property is located within a historic district.

Mr. Fourzan explained, prior to the *Stop Work order*, the contractors were going to add the second coat of paint to the exterior and paint the trim. However, at this time, they have exhausted their monies for paint. *At this time, Mr. Fourzan distributed hard copy photos and information regarding the property.* (Copy of photos and information on file.)

Commissioner Lopez noted painting the exterior is one of the cheapest ways to change the look of a home. He suggested, for the second coat of exterior paint, the property owners select a lighter shade of blue.

Mr. Fourzan commented on painting the interior of the home. He also commented on the ivy growing on the exterior of the home.

Ms. Velázquez explained ivy covered homes are beautiful; however, the ivy itself is very destructive as it can pull brick, stucco, and other masonry out. Additionally, when watering the ivy, water will leak inside the home causing further damage.

**MOTION:**

*Motion made by Commissioner Lucero, seconded by Commissioner Lopez AND UNANIMOUSLY CARRIED TO APPROVE THE DENIAL OF THE APPLICATION.*

Chairman Berchermann informed the property owners of their opportunity to appeal the decision of the Commission.

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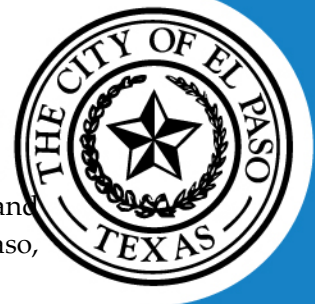
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3. **PHAP13-00033:** The east ½ of lot 28, plus all of lots 29-31 save and except a portion of Lot 31, Block 4, City of El Paso, El Paso County, Texas
- Location: 3257 Aurora Avenue  
Historic District: Austin Terrace  
Property Owner: Victor Duran  
Representative: Victor Duran  
Representative District: 2  
Existing Zoning: R-3/H (Residential/Historic)  
Year Built: 1953  
Historic Status: Non-contributing  
Request: Certificate of Appropriateness to modify a previously approved addition to include a gabled roof, changes to the approved façade, the replacement of a window and roof alteration after-the fact
- Application Filed: 11/7/13  
45 Day Expiration: 12/22/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for a Certificate of Appropriateness to modify a previously approved addition to include a gabled roof, changes to the approved façade, the replacement of a window and roof alteration after-the fact. She explained that the original request came before commissioners in March, 2012. The property owner had wanted to create an addition to the property. Ms. Velázquez commented on the original plans and elevations submitted by the property owner and approved by the HLC. Per the presentation photos, Ms. Velázquez explained that the contractor had not followed the approved original plans, and the roof and windows were not at all what commissioners had approved. Additionally, on the original structure, the contractor had removed the existing window and replaced it with a slider window not approved by the Commission. Per the Building Permits & Inspections Department, the inspector of the property halted further construction due to non-compliance with original plans and permits and then notified Ms. Velázquez of the situation. Ms. Velázquez stated permits were issued based on the original plans submitted and approved by the Commission.

#### **STAFF RECOMMENDATION**

The Historic Preservation Office recommends **\*APPROVAL WITH MODIFICATIONS** of the proposed scope of work based on the following

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recommendations:

*The Design Guidelines for El Paso's Historic Districts, Sites, and Properties recommend the following:*

- *New additions should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged or destroyed in the process of rehabilitation.*
- *Locate additions carefully so they do not damage or conceal significant building features or details.*
- *It is not appropriate to introduce an addition if it requires the removal of character-defining building features such as patios, mature vegetation or a detached structure.*
- *Design an addition so it is compatible in roof form, proportions, materials and details with the existing structure.*
- *Design an addition so that if removed in the future, the historic building's form and character defining features are not obscured, damaged, or destroyed.*
- *Introduce new driveways and walkways (when there are none) that are compatible with existing driveways and walkways in terms of width (maximum 12' wide), location, materials, and design.*
- *Do not change the style or construction of the roof.*
- *Construct new driveways and walkways in locations that require a minimum of alteration to historic site features such as landscaping, retaining walls, curbs, and sidewalks. Usually driveways should lead directly to the rear of buildings and walkways should lead directly to the front steps of the house.*
- *The size of the door or window opening should not be altered. New doors and windows should be constructed to fit into the existing opening.*
- *If windows are damaged beyond repair, replacement windows should match the type (such as double hung), style (for example six panes over six panes), and finish (paint).*

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- *New additions will not destroy historic materials, features, and spatial relationships that characterize the property.*
- *The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

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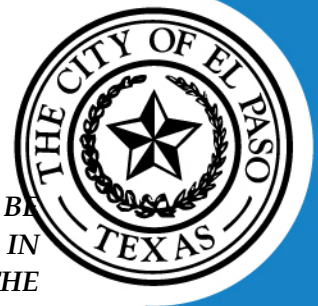
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*\*THE MODIFICATIONS ARE THAT THE CURRENT ROOF BE RECONSTRUCTED SO THAT IT BECOMES A FLAT ROOF AS SHOWN IN THE DRAWINGS APPROVED BY THE HLC IN MARCH 2012 AND THAT THE ORIGINAL WINDOW ON THE ORIGINAL STRUCTURE BE REPLACED TO MATCH THE PREVIOUS WINDOW IN TERMS OF SIZE, OPERATION, CONFIGURATION, DETAILS, AND FINISH.*

*There was no one from the audience who had signed up to speak either for or against this request.*

Ms. Veronica (unable to determine last name), provided translation assistance for the property owner, Mr. Victor Duran. Per Mr. Duran's explanation, the contractor informed him that he (the contractor) was given approval from the City to change the previously approved plans. Mr. Duran did not like the look of the windows on the original structure and instructed the contractor to remove and replace them with the slider window.

Chairman Berchermann explained the Commission did not approve changing the original window style on the original structure.

Mr. Duran explained that he had problems with the contractor and when the contractor walked off the job, the contractor took everything with him including the plans, the permits, etc.

Ms. Velázquez stated that this is not the first time commissioners have heard of applicants/property owners having problems/issues with an unscrupulous contractor. She referred to the property located at 1431 Hawthorne and commented on the problems the property owner had with that contractor.

Mr. Duran showed a photo of the contractor's business name to commissioners. Mr. Duran gave the photo to Ms. Velázquez.

Ms. Velázquez asked if commissioners would postpone the request to the next regularly scheduled HLC meeting for December 2<sup>nd</sup>. She will ask the inspector who halted the construction to attend that meeting in order to answer any questions that commissioners may have.

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Mr. Duran explained that construction on the project began April, 2012; furthermore, construction was halted approximately one month ago.

Chairman Berchelmann noted it would be beneficial to postpone the request to the next HLC meeting so that the inspector and, if possible, the contractor, could be present.

Mr. Duran stated he had not heard from that contractor in over a year.

**MOTION:**

*Motion made by Chairman Berchelmann, seconded by Commissioner Helm AND UNANIMOUSLY CARRIED TO POSTPONE TO THE NEXT HLC MEETING, DECEMBER 2, 2013.*

- 4. PHAP13-00034:** 4 Mills 60 ft. on Mills X 112 ft. on N. Stanton & Adj. 12 ft. X 60 ft. to Aly Nec. (7440 sq. ft.) , City of El Paso, El Paso County, Texas
- Location: 215 N. Stanton
- Historic District: Downtown
- Property Owner: Martin Building LLC
- Representative: Lane Gaddy and Tyler Daniels
- Representative District: 8
- Existing Zoning: C-5/H (Commercial/Historic)
- Year Built: 1917
- Historic Status: Landmark
- Request: Certificate of Appropriateness for the rehabilitation of the subject property
- Application Filed: 11/4/13
- 45 Day Expiration: 12/19/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for a Certificate of Appropriateness for the rehabilitation of the subject property. For clarification, the subject property is also known as the *Martin Building*. Per the presentation, Ms. Velázquez showed photos of the property as it previously existed as the home of the El Paso Electric Company. She highlighted the six foot in height, "USF ELECTRICITY" illuminated signage formerly located atop the building. Additionally, Ms. Velázquez highlighted the lights on the cornice, storefront and the three story high "EL PASO ELECTRIC CO." sign located on the side of the building.

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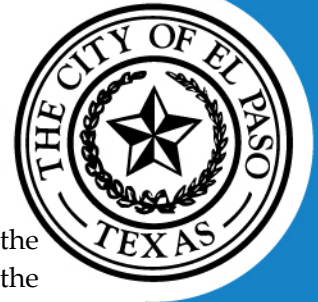
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She explained that the property owner is requesting commercial use on the ground floor and residential use on the remaining floors. She commented on the proposed interior and exterior remodeling and noted that this is an unusual and very rare rehabilitation project. Ms. Velázquez stated that she had asked the property owner to maintain the profile of the windows, as they are character-defining features, which the property owner will do. She explained the proposed plan for the windows and noted the change on the windows in the area where the glass connects. For the most part, the window profiles will remain the same. The property owner is requesting to install wood framed awnings on the storefront. Additionally, the property owner is requesting to install signs, as they originally existed, to include the six-foot high rooftop signage.

#### **STAFF RECOMMENDATION**

The Historic Preservation Office recommends **\*APPROVAL WITH MODIFICATIONS** of the proposed scope of work based on the following recommendations:

*The Downtown Historic District Design Guidelines recommend the following:*

- *Windows beyond repair should be replaced to maintain the appearance of the original windows.*
- *Replacement windows should match the same size of the original. In other words, new windows should fill the entire space.*
- *Generally, window glass should be clear. Mirrored and reflective glass are not historic and should be avoided.*
- *Awnings will be evaluated on an individual basis by the Historic Landmark Commission in order to determine appropriateness and impact to the structure and its surrounding environment.*
- *Materials should be compatible with the structure and other elements particular to the historic district.*
- *Awnings and canopies should be placed at the top of openings, but they should not cover important architectural details/elements.*
- *Awnings and canopies should be of an appropriate size and scale in relation to the building's façade.*
- *Fixtures should fit within vertical elements such as columns.*
- *Fixtures should always fit within their openings. Attempting to fit a square awning into a round opening (and vice-versa) should be avoided. Generally, the shape of an awning should respect the shape of the window.*

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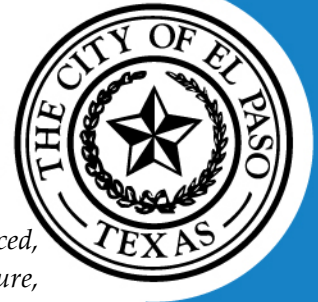
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- Retain existing masonry and mortar if possible. If masonry must be replaced, match old material with new material as closely as possible (size, color, texture, etc.).
- Retain original color and texture of masonry when possible.
- It is recommended that storefronts be similar to that of the Cortez. The storefront has a relatively small wainscot with large display windows and the large double entry doors are topped with a transom.
- Preserve original materials or details and the shape of original openings (otherwise the proportions of the façade will be lost). Replace missing original elements such as transom windows.
- Storefronts should be fabricated from wood.
- The wainscot or panel beneath the display window should be constructed of wood or brick.
- The original size, division and shape of display windows should be retained. Glass should be transparent for pedestrian viewing.
- Signs should not hide or cover any significant detailing and/or architectural detailing and/or architectural features of the building.
- Signs shall not exceed thirty square feet in all commercial and manufacturing districts, and should not exceed six feet in height.
- Signs constructed for landmark buildings or sites must be made of materials attributed to the year in
- Colors should complement the building and/or the surrounding area.
- Designs should be innovative and compatible with the building and/or the surrounding area.
- Double-faced projecting wall signs must have a minimum nine foot clearance between the bottom of the sign and the ground level.
- Contemporary lighting fixtures should be replaced with period lights found in Pioneer Plaza.

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.

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- *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
- *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
- *Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

**\*THE MODIFICATIONS ARE THAT THE NEW AWNINGS/CANOPIES BE PLACED EITHER AT THE TOP OR BOTTOM OF THE TRANSOM/SIGNBAND AND MOUNTED SO THAT THEY WILL NOT OBSCURE, DAMAGE, DESTROY OR ALTER SIGNIFICANT ARCHITECTURAL FEATURES; THAT A DIFFERENT LOCATION FOR THE NEW LIGHTING AT THE ENTRYWAY BE CONSIDERED THAT DOES NOT HAVE TO BE MOUNTED INTO THE TERRA COTTA; THAT THE NEW SIGNS WILL BE INSTALLED IN THEIR PREVIOUS LOCATIONS SO THAT THE TERRA COTTA BUILDING FABRIC WILL NOT BE ALTERED, DAMAGED, OR DESTROYED; AND THAT THE OWNER/ARCHITECT SHALL PROPOSE A NEW BUILDING MATERIAL INSTEAD OF EIFS IN THE ENTRYWAY.**

*There was no one from the audience who had signed up to speak either for or against this request.*

Ms. Velázquez clarified the property owner will install the new signs in the same locations as they existed previously. Additionally, the property owner plans to re-illuminate the cornice.

Mr. Tommy J. Razloznik, PSRBB Architects, and Mr. Lane Gaddy, property owner, were present.

Chairman Berchelmann asked Messrs. Razloznik and Gaddy their opinions regarding staff's proposed modifications.

Mr. Razloznik explained both he and Mr. Gaddy fully intend to comply with staff recommendations and modifications. Mr. Razloznik noted that most of the staff requests have been incorporated into their next response to the Texas Historical Commission. Additionally, both he and Mr. Gaddy will work closely with Ms. Velázquez. To conclude, both he and Mr. Gaddy intend to bring this landmark structure back to its original state, to include all electrical signage.

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Mr. Gaddy explained that he plans to apply for state tax credits; furthermore, he has to pull permits by the 18<sup>th</sup>.

**MOTION:**

*Motion made by Chairman Berchelmann, seconded by Commissioner Helm AND UNANIMOUSLY CARRIED TO APPROVE, WITH MODIFICATIONS.*

5. Addresses of property HLC commissioners have requested that HLC staff review or investigate and provide a report to the HLC. If no addresses are submitted in advance and listed under this agenda item, commissioners may announce such addresses under this agenda item. Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. November 18, 2013 deadline for HLC members to request for agenda items to be scheduled for the December 2, 2013 meeting. December 2, 2013 deadline for HLC members to request for agenda items to be scheduled for the December 16, 2013 meeting.

Chairman Berchelmann asked commissioners if they had addresses they would like staff to review or investigate.

**PROPERTY LOCATED ON MILLS**

Commissioner Helm asked staff to update commissioners on the status of the property at 112 Mills Street regarding the glass front.

Ms. Velázquez explained the Legal Department decided non-contributing properties did not have to comply with the Downtown Historic District Design Guidelines. As a non-contributing property, the property owner could install a new storefront; however, staff was under the impression that a substantial amount of demolition had occurred. Ms. Velázquez informed the inspector who then halted further construction on the project. The architect, Lorenzo Aguilar, informed staff that there was no demolition done with regard to the marble, but that the marble had been painted over. However, after much discussion, the architect then removed all the paint as painting the marble was not a part of the original approved plans. Furthermore, Ms. Velázquez stated that she would not have approved the plans if the plans called for painting the marble. The original approved plans did call for the mounting of black painted glass behind the façade; the architect later discovered that would not be possible. The glass could not be painted. Ms. Velázquez explained to the architect that he would have to come up with another option, as staff does not approve the painting of masonry even if it is

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*District 5*

Dr. Michiel R. Noe

*District 6*

Eddie Holguin Jr.

*District 7*

Lilia B. Limon

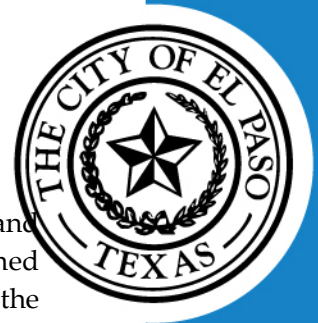
*District 8*

Cortney C. Niland

**City Manager**

Joyce A. Wilson





underneath a new façade. At her last site visit, the façade was removed and the paint was coming off; therefore, the architect has complied. She informed commissioners that, as a non-contributing property not following the guidelines, commissioners can guarantee architects/contractors will change the approve plans without prior notice in the future.

For commissioners' edification, Ms. Velázquez explained that previously, appeals to City Council did not cost the applicant/property owner any monies; however, to appeal the Commission's decision to the City Council will cost applicants/property owners approximately \$300.00.

#### **HLC Staff Report**

6. Update on Administrative Review Cases since the last HLC meeting for the properties listed on the attachment posted with this agenda.

Chairman Berchelmann asked commissioners if they had any comments and/or questions for staff.

Chairman Berchelmann asked Ms. Velázquez to explain the *Number issued in error* for the property located at 4417 Manchester Avenue. Additionally, Chairman Berchelmann asked Ms. Velázquez to explain the "Shasta White" shingle color for the property located at 2719 San Diego Avenue

Ms. Velázquez explained she had inadvertently selected "Administrative Approval." She deleted that request and began inserting the application information anew. Ms. Velázquez explained "Shasta White" shingle color was not a pure white but a white with grey. She referred commissioners to the Owens-Corning website for further color clarification.

#### **MOTION:**

*Motion made by Chairman Berchelmann, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO APPROVE THE ADMINISTRATIVE REVIEW STAFF REPORT.*

#### **Other Business**

7. Approval of Regular Meeting Minutes for November 4, 2013.

Chairman Berchelmann asked commissioners if they had any additions/corrections/revisions. *There were none.*

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**MOTION:**

*Motion made by Chairman Berchelmann, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FOR NOVEMBER 4, 2013.*

**ABSTAIN:** *Commissioners Lopez, Helm, and Gomez*

**MOTION:**

*Motion made by Chairman Berchelmann, seconded by Commissioner Gomez AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 5:11 P.M.*

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